

Remarks

Claims 1 - 18 are pending in this application. The Examiner rejects claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,336,831, issued to Mroczkowski (hereinafter "Mroczkowski"). Further, claims 1-18 under 35 U.S.C. § 103(a) as being unpatentable over Prior Art of Record in view of Mroczkowski.

By way of this Response, Applicant amends claims 1, 10, 13 and 16. Reconsideration and reexamination of the application is respectfully requested.

A. Rejections Under 35 U.S.C. § 102(b)

The Examiner rejects independent claim 1 under 35 U.S.C. § 102(b) as being anticipated by (U.S. Patent No. 4,336,831 issued to Mroczkowski. Applicant respectfully disagrees with the Examiner's rejection of the claims for the reasons set forth below.

Mroczkowski fails to disclose the identical invention as that disclosed and claimed by Applicant. MPEP §2131 recites the standard for anticipation of a claim:

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. The identical invention must be shown in as complete detail as is contained in the ... claim.

(Emphasis added). The Mroczkowski reference discloses a table saw having a tabletop 8 having a sliding plate 46 movable thereon. This is fundamentally different from Applicant's claimed invention.

Further, Mroczkowski discloses the use of a fluoropolymer coating applied either to the underside of sliding plate 46 or the tabletop 8. The fluoropolymer coating in Mroczkowski is applied to the underside of sliding plate 46, not directly atop a workpiece support surface. Alternatively, the Mroczkowski fluoropolymer coating may be applied to the

region of the tabletop **beneath** the sliding plate.

Applicant assert that the tabletop 8 in Mroczkowski is not a workpiece support surface, but rather a slide plate support surface to reduce friction between the heavy, metal sliding plate 46 and the tabletop 8. Applicant discloses and claims a surface layer, namely, a plastic laminate, applied **directly** to the workpiece support surface. Thus, Mroczkowski fails to disclose the identical invention as claimed by Applicants and thus is not an anticipatory reference.

Applicants believe the Examiner's contention is that this portion of tabletop 8 is a workpiece support surface, and have further amended claim 1 to illustrate the direct relationship between a workpiece and the surface layer coating applied directly to a workpiece support surface. Such attributes are absent from the Mroczkowski reference. Accordingly, the present invention is distinguishable over the prior art, and is therefore believed to be patentable.

B. Rejections Under 35 U.S.C. § 103(a)

The Examiner rejects claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over Prior Art of Record in view of Mroczkowski. The Examiner's proposed combination of references does not teach nor suggest all of the claim limitations as set forth in the claims.

MPEP §2143.01 details the basic requirements necessary to establish a prima facie case of obviousness.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either if the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

It is clear that none of the references contain a suggestion or motivation to combine the references in the manner suggested by the Examiner. "The level of skill in the art cannot be relied upon to provide the suggestion to combine references." See MPEP §2143.01 citing all cite *Al-Site Corp. v. VSI Int'l Inc.*, 174 F3rd 1308, 50 USPQ 2d 1161(Fed Cir. 1999).

The Examiner's reliance on Mroczkowski teaching a fluoropolymer coating applied to a workpiece support surface is erroneous. Rather, Mroczkowski merely contemplates a fluoropolymer coating applied to the underside of a sliding plate 46 or to a sliding plate support surface of tabletop 8. Applicants assert that the tabletop 8 in the Figure 7 embodiment of Mroczkowski is not a workpiece support surface. Rather, the tabletop 8 supports sliding plate 46.

In the embodiment relied on by the Examiner, the upper surface of the sliding plate is the surface that supports a workpiece. As such, no fluoropolymer coating is applied directly thereto. Rather, Mroczkowski contemplates a high friction surface applied directly atop the workpiece support surface. "[T]he workpiece 58 sticks to the rough surface 49 on the plate 46." Column 8, lines 37 - 38.

The combination of Mroczkowski and the prior art of record, individually and in combination, fails to teach a plastic laminate layer applied directly atop the workpiece support surface. Instead, Mroczkowski teaches the opposite, i.e., a high friction, rough surface 49 applied directly atop the workpiece support surface. Further, the Examiner

incorrectly asserts that application of a plastic laminate would be obvious to one of ordinary skill in the art based on Mroczkowski's use of a Teflon coating. It would not have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Mroczkowski with the prior art made of record by the Examiner. Not only does Mroczkowski lack the necessary elements to support this combination, but Mroczkowski lacks any suggestion or motivation to do so.

The Examiner's reliance on Mroczkowski's low friction surface does not provide any suggestion for the low friction surface utilized in the present invention. Mroczkowski merely contemplates a low friction surface between sliding plate 46 and table 8, since sliding plate 46 is a heavy, metallic object and a low friction surface applied between the sliding plate 46 and the table 8 helps enable sliding plate movement. Mroczkowski does not contemplate a low friction surface, namely a plastic laminate, directly between a workpiece and a workpiece support surface, but rather contemplates a high friction surface between a workpiece and a workpiece support surface. Mroczkowski's lack of consideration of a low friction surface directly between a workpiece and a workpiece support surface is further evidenced by Mroczkowski's failure to suggest a low friction covering upon a workpiece support surface in alternative embodiments wherein the workpiece is placed directly upon the table 8.

The combination of Mroczkowski and the prior art of record fails to teach or suggest the claimed invention through any combination of prior art, Applicants respectfully request that the Examiner withdraw his rejection of independent claim 1. Claims 2-9 are dependent from claim 1 and are believed to be patentable as a result of their dependency from an allowable claim 1.

Independent claims 10, 13, and 16 are similarly rejected by the Examiner. Applicants' amendments and remarks to independent claim 1 can be applied globally to claims 10, 13, and 16, and are therefore believed to be patentable for similar reasons. The remainder of the claims pending in this application (claims 11-12, 14-15 and 17-18) are dependent from


allowable subject matter in claims 10, 13 and 16 respectively and are also believed to be patentable.

C. Conclusion

Applicant has made a genuine effort to respond to each of the Examiner's objections and rejections in advancing the prosecution of this case. Applicant believes that all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. If any additional issues need to be resolved, the Examiner is requested to telephone the undersigned at his convenience.

Respectfully submitted,

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Date: April 27, 2005

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